

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There are two Extraordinary issues to the Official Gazette Series I No. 20 dated 18-8-2005 as follows:

- (1) Extraordinary dated 22-8-2005 from pages 445 to 450 regarding Notification from Department of Personnel.
- (2) Extraordinary (No. 2) dated 24-8-2005 from pages 451 to 452 regarding Notification from Department of Finance (Revenue & Control Division).

GOVERNMENT OF GOA

Department of Finance

Revenue & Control Division

Order

8/7/2001-Fin(R&C)

- Read: (i) Government order No. 8/7/2001-Fin(R&C) dated 24-5-2001.
- (ii) Government order No. 8/7/2001-Fin(R&C) dated 17-9-2003.
- (iii) Government order No. 2/7/92-FCC dated 23-3-2004.

Government is pleased to re-designate *ex-cadre* post of Additional Secretary (Bud/FC/FR) in the scale of Rs. 12000-375-16500 as OSD/Joint Secretary (Budget) in the pay scale of Rs. 10000-325-15200 w.e.f. 1-4-2005.

The expenditure is debitable to the Budget Head "2052—Secretariat—General Services, 090—Secretariat, 03—Finance Department".

By order and in the name of the Governor of Goa.

D. G. Sardesai, Joint Secretary (Finance).

Porvorim, 12th August, 2005.

Department of Law and Judiciary

Legal Affairs Division

Notification

10/2/2005-LA

The Goa Appropriation (Vote on Account) Act, 2005 (Central Act No. 10 of 2005), which has

been passed by the Parliament and assented to by the President of India on 24-3-2005 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 24-3-2005, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 8th July, 2005.

The Goa Appropriation (Vote on Account) Act, 2005

AN

ACT

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of State of Goa for the services of a part of the financial year 2005-06.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Goa Appropriation (Vote on Account) Act, 2005.

2. *Withdrawal of Rs. 1553,70,61,000 from and out of the Consolidated Fund of State of Goa for the financial year 2005-06.*— From and out of the Consolidated Fund of State of Goa there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one thousand five hundred and fifty-three crores, seventy lakhs and sixty-one thousand rupees towards defraying the several charges which will come in the course of payment during the financial year 2005-06.

3. *Appropriation.*— The sums authorised to be withdrawn from and out of the Consolidated Fund of State of Goa by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

1	2	3		
No. of Vote/ /Appropriation	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Legislature Secretariat..... Revenue	2,28,42,000	11,25,000	2,39,67,000
	Capital	25,00,000	...	25,00,000
	CHARGED.—Raj Bhavan..... Revenue	...	86,70,000	86,70,000
2	General Administration and Co-ordination Revenue	6,70,15,000	...	6,70,15,000
	Capital	6,67,000	...	6,67,000
3	District and Sessions Court, North Goa..... Revenue	2,12,65,000	...	2,12,65,000
4	District and Sessions Court, South Goa..... Revenue	1,85,47,000	...	1,85,47,000
5	Prosecution..... Revenue	49,39,000	...	49,39,000
6	Election Office..... Revenue	2,24,80,000	...	2,24,80,000
7	Settlement and Land Records..... Revenue	2,55,08,000	...	2,55,08,000
8	Treasury and Accounts Administration, North Goa Revenue	65,12,92,000	...	65,12,92,000
	Capital	1,32,50,000	...	1,32,50,000
9	Treasury and Accounts Administration, South Goa Revenue	48,81,000	...	48,81,000
	CHARGED.—Debt Services..... Revenue	...	167,78,55,000	167,78,55,000
	Capital	...	75,72,08,000	75,72,08,000
10	Notary Services..... Revenue	60,00,000	...	60,00,000
	Capital	20,83,000	...	20,83,000
11	Excise..... Revenue	1,11,15,000	...	1,11,15,000
12	Sales and Entertainment Tax..... Revenue	2,77,04,000	...	2,77,04,000
13	Transport..... Revenue	6,52,13,000	...	6,52,13,000
	Capital	4,14,58,000	...	4,14,58,000
	CHARGED.—Goa Public Service Commission..... Revenue	...	30,73,000	30,73,000
14	Goa Sadan Revenue	57,50,000	...	57,50,000
15	Collectorate, North Goa..... Revenue	2,77,76,000	...	2,77,76,000
16	Collectorate, South Goa..... Revenue	2,44,40,000	...	2,44,40,000
17	Police..... Revenue	26,79,21,000	...	26,79,21,000
	Capital	29,01,000	...	29,01,000
18	Jails..... Revenue	1,21,18,000	...	1,21,18,000
	Capital	1,43,33,000	...	1,43,33,000
19	Industries, Trade and Commerce Revenue	11,75,00,000	...	11,75,00,000
	Capital	2,56,25,000	...	2,56,25,000
20	Printing and Stationery Revenue	1,43,19,000	...	1,43,19,000
21	Public Works Revenue	87,79,56,000	...	87,79,56,000
	Capital	75,19,98,000	1,46,000	75,21,44,000
22	Vigilance Revenue	31,43,000	...	31,43,000
23	Home..... Revenue	25,00,000	...	25,00,000
24	Goa Public Men's Corruption— Investigation and Enquiries..... Revenue	42,000	...	42,000
25	Home Guards and Civil Defence..... Revenue	79,25,000	...	79,25,000
26	Fire and Emergency Services..... Revenue	2,20,53,000	...	2,20,53,000
	Capital	35,94,000	...	35,94,000
27	Official Language..... Revenue	53,33,000	...	53,33,000
28	Administrative Tribunal..... Revenue	21,87,000	...	21,87,000
29	Public Grievances..... Revenue	10,55,000	...	10,55,000
30	Lotteries..... Revenue	286,62,52,000	...	286,62,52,000
31	Panchayats..... Revenue	16,33,09,000	...	16,33,09,000
	Capital	47,08,000	...	47,08,000
32	Finance Revenue	22,92,000	...	22,92,000
	Capital	35,00,00,000	...	35,00,00,000
33	Revenue..... Revenue	1,72,21,000	...	1,72,21,000
34	School Education..... Revenue	107,58,18,000	...	107,58,18,000
	Capital	1,31,24,000	...	1,31,24,000

1	2	3	
		Rs.	Rs.
35	Higher Education.....	Revenue	17,03,66,000
		Capital	1,00,05,000
36	Technical Education.....	Revenue	2,45,81,000
		Capital	50,00,000
37	Government Polytechnic, Panaji.....	Revenue	2,34,60,000
		Capital	15,98,000
38	Government Polytechnic, Bicholim.....	Revenue	70,78,000
		Capital	2,50,000
39	Government Polytechnic, Curchorem.....	Revenue	28,75,000
		Capital	14,58,000
40	Goa College of Engineering.....	Revenue	2,90,35,000
		Capital	62,98,000
41	Goa Architecture College.....	Revenue	41,69,000
		Capital	2,08,000
42	Sports.....	Revenue	6,64,43,000
		Capital	1,23,90,000
43	Art and Culture.....	Revenue	3,76,25,000
		Capital	2,08,33,000
44	Goa College of Art.....	Revenue	40,65,000
		Capital	14,17,000
45	Archives and Archaeology.....	Revenue	1,29,13,000
		Capital	41,67,000
46	Museum.....	Revenue	32,71,000
		Capital	14,58,000
47	Goa Medical College.....	Revenue	18,30,63,000
		Capital	1,94,06,000
48	Health Services.....	Revenue	28,34,30,000
		Capital	95,31,000
49	Institute of Psychiatry and Human Behaviour.....	Revenue	1,88,33,000
		Capital	86,13,000
50	Goa College of Pharmacy.....	Revenue	73,03,000
		Capital	10,42,000
51	Goa Dental College.....	Revenue	1,47,25,000
		Capital	9,18,000
52	Labour.....	Revenue	3,30,57,000
		Capital	21,000
53	Food and Drugs Administration.....	Revenue	66,79,000
		Capital	6,46,000
54	Town and Country Planning.....	Revenue	3,13,02,000
		Capital	10,42,000
55	Municipal Administration	Revenue	15,51,46,000
		Capital	2,08,33,000
56	Information and Publicity.....	Revenue	5,83,17,000
		Capital	4,17,000
57	Social Welfare	Revenue	27,10,65,000
		Capital	45,42,000
58	Women and Child Development	Revenue	8,17,75,000
		Capital	32,08,000
59	Factories and Boilers.....	Revenue	50,71,000
		Capital	4,17,000
60	Employment.....	Revenue	33,85,000
61	Craftsmen Training.....	Revenue	4,73,25,000
		Capital	72,92,000
62	Law	Revenue	2,21,59,000
		Capital	53,49,000
63	Rajya Sainik Board.....	Revenue	9,25,000
64	Agriculture	Revenue	9,24,24,000
		Capital	2,11,94,000

1	2	3	
		Rs.	Rs.
65	Animal Husbandry and Veterinary Services.....	Revenue	Rs. 7,36,37,000
		Capital	39,58,000
66	Fisheries.....	Revenue	3,56,09,000
		Capital	47,80,000
67	Ports Administration	Revenue	1,48,96,000
		Capital	83,33,000
68	Forests.....	Revenue	6,52,30,000
		Capital	24,17,000
69	Youth Affairs.....	Revenue	1,26,76,000
		Capital	8,33,000
70	Civil Supplies	Revenue	69,08,000
		Capital	9,68,75,000
71	Co-operation.....	Revenue	1,49,33,000
		Capital	6,47,81,000
72	Science, Technology and Environment.....	Revenue	1,70,00,000
		Capital	62,50,000
73	State Election Commission.....	Revenue	30,69,000
74	Water Resources.....	Revenue	9,23,72,000
		Capital	49,10,12,000
75	Planning, Statistics and Evaluation.....	Revenue	1,24,77,000
76	Electricity.....	Revenue	189,72,82,000
		Capital	38,06,67,000
77	River Navigation.....	Revenue	4,56,66,000
78	Tourism.....	Revenue	12,13,45,000
		Capital	92,50,000
79	Goa Gazetteer.....	Revenue	6,46,000
80	Legal Metrology.....	Revenue	33,78,000
		Capital	6,26,000
82	Information Technology.....	Revenue	2,81,25,000
		Capital	10,42,000
83	Mines.....	Revenue	52,86,000
		Capital	4,17,000
Total.....		1308,51,46,000	245,19,15,000
			1553,70,61,000

Goa Legislature Secretariat

member of the Legislative Assembly of the State of Goa.

LA/A/Bills/1234/2005

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 18-8-2005 is hereby published for the general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

BE it enacted by the Legislative Assembly of Goa in the Fifty-sixth Year of the Republic of India as follows:—

The Goa Members of Legislative Assembly
(Removal of Disqualification) Bill, 2005

(Bill No. 16 of 2005)

A

BILL

to provide for the removal of certain disqualifications for being chosen as, and for being, a

1. *Short title and commencement.*— (1) This Act may be called the Goa Members of Legislative Assembly (Removal of Disqualification) Act, 2005.

(2) It shall be deemed to have come into force on the 11th day of July, 2005.

2. *Removal of certain disqualifications.*— A person shall not be disqualified for being chosen as or for being, a member of the Legislative Assembly of the State of Goa merely by reason of the fact that he holds any of the offices specified in the Schedule appended to this Act.

SCHEDULE

1. The office of a member of a Home Guard constituted under any law for the time being in force in any State;
2. Any office in connection with the affairs of the Goa University or any committee, council or body connected with the Goa University;
3. The office of Chairman, Economic Development Corporation Limited, Goa;
4. The office of Chairman, Kadamba Transport Corporation Limited;
5. The office of Chairman, Goa Housing Board;
6. The office of Chairman, Goa Tourism Development Corporation Limited;
7. The office of Chairman, Goa Handicrafts, Rural and Small Scale Industries Development Corporation Limited;
8. The office of Chairman, Goa Industrial Development Corporation;
9. The office of the Chairman and Vice-Chairman of the Goa State Infrastructure Development Corporation Limited;
10. The office of the Chairman and Vice-Chairman of the Goa State Planning Board;
11. The office of the Chairman of the Goa Khadi and Village Industries Board;
12. The office of the Chairman of the Goa State Scheduled Caste and other Backward Classes Finance and Development Corporation Limited;
13. The office of the Chairman of the Goa State Horticultural Corporation Limited;
14. The office of the Chairman of the Goa Forest Development Corporation Limited;
15. The office of the Chairman of the Goa State Scheduled Tribes Finance and Development Corporation Limited;
16. The office of a Parliamentary Secretary;
17. The office of the Chairman of Bal Bhavan, Goa;
18. The office of the Chairman of the Goa State Social Welfare Board;
19. The office of the Chairperson of the Goa State Commission for Women;
20. The office of the Chairman of the Goa Meat Complex;

21. The office of the Chairman of the Goa Sewerage Corporation;
22. The office of the Chairman of the Goa State Commission for Backward Classes;
23. The office of the Chairman of the Infotech Corporation of Goa Limited;
24. The office of the Chairman of the Kala Academy, Goa;
25. The office of the Chairman of the Rajiv Kala Mandir, Ponda;
26. The office of the Chairman of the Planning and Development Authorities, Goa;
27. The office of the President and Vice-President of the Sports Authority of Goa;
28. The office of Chairman, Director or member of any other statutory or non-statutory body or committee or corporation constituted by the Government of Goa.

Explanation.— For the purpose of the entry at serial number 28,—

(i) "statutory body" means any corporation, committee, commission, council, board or other body of persons, whether incorporated or not, established by or under any law for the time being in force;

(ii) "non-statutory body" means any body of persons other than a statutory body.

3. *Repeal.*— On and from the date of commencement of this Act, any law or enactment covering the subject matter of this Act and which was in force in the State of Goa as on such date shall be deemed to have been repealed from such date.

4. *Repeal and saving.*— (1) The Goa Members of Legislative Assembly (Removal of Disqualification) Ordinance, 2005 (Ordinance 1 of 2005), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force on the day on which such thing or action was done or taken.

Statement of Objects and Reasons

By Judgments dated 27th May, 2005, delivered in Election Petition No. 1 of 2002 (Chandrakant Uttam Chodankar V/s Shri Dayanand Rayu Mandrekar & Others) and Election Petition No. 2 of 2002 (Jose Philips D. D'Souza V/s Shri Rajendra V. Arlekar & Others), the Hon'ble High Court of Bombay at Goa has held that the Goa, Daman and Diu Members of Legislative Assembly (Removal of Disqualification) Act, 1982 (Act 1 of 1982) would not be valid to provide protection from disqualification to the Members of the Legislative Assembly of the State of Goa since it was not the law made by the Legislative Assembly of the State of Goa in terms of Article 191 (1) (a) of the Constitution. It was held that, in other words, the law passed by the Legislature of the Union Territory for the protection of its own members under section 14 of the Government of Union Territories Act, 1963 (20 of 1963), cannot be equated with the law to be passed by the State Legislative Assembly under Article 191 (1) (a) of the Constitution.

In view of the above Judgments, it became necessary to have a law providing for protection from disqualification to Members of the Legislative Assembly of this State and accordingly, the Goa Members of Legislative Assembly (Removal of Disqualification) Ordinance, 2005 (Ordinance 1 of 2005) was promulgated by the Governor of Goa on 11-7-2005, making necessary provisions to give protection from disqualification to Members of the Legislative Assembly in case they happen to hold Offices of Chairman, Director, etc. of public sector undertakings and other autonomous bodies under the Government of Goa.

This Bill seeks to replace the said Ordinance.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa DAYANAND G. NARVEKAR
Dated: 12th August, 2005. Minister for Legislative Affairs

Assembly Hall, SUDHIR NARVEKAR
Porvorim-Goa. Secretary to the Legislative
Dated: 12th August, 2005. Assembly of Goa

Department of Public Health

Order

45/3/2003-I/PHD/3224

Government is pleased to create two posts of Chest Physician (TB & Chest) one each for Asilo Hospital, Mapusa and T.B. (Sanatorium) Hospital, Margao in the pay scale of Rs. 8,000-13,500+N.P.A. and other allowances as admissible to other analogous post.

Once these two posts are filled, consequently the resultant vacancies of Medical Officers arising out of filling of these two posts shall stand abolished.

The expenditure towards pay and allowances is debitable to Budget Head as under:—

- I. 2210 — Medical and Public Health
 - 01 — Urban Health Services Allopathy
 - 110 — Hospital and Dispensaries
 - 07 — Expansion of Asilo Hospital (P)
 - 01 — Salaries
- II. 2210 — Medical and Public Health
 - 01 — Urban Health Services Allopathy
 - 110 — Hospitals and Dispensaries
 - 09 — Additional posts for TB (P)
 - 01 — Salaries

This issues with the concurrence of Finance Department vide their U. O. No. Fin (R&C)/1953-F dated 15-7-2005.

By order and in the name of the Governor
of Goa.

Jessie Freitas, Under Secretary (Health-II).

Porvorim, 9th August, 2005.